

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA :

-v-

: INFORMATION

CLAUDIO CABRERA, :

S1 07 Cr. 869 (AKH)

Defendant. :

- - - - -x

COUNT ONE

The United States Attorney charges:

1. In or about April 2005, in the Southern District of New York and elsewhere, CLAUDIO CABRERA, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that CLAUDIO CABRERA, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 100 grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1) and 841(b)(1)(B) of Title 21, United States Code.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others,

was committed in the Southern District of New York and elsewhere:

a. On or about April 7, 2005, CLAUDIO CABRERA, the defendant, and co-conspirators not named as defendants herein drove to Manhattan, New York to obtain a quantity of heroin.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the foregoing controlled substance offense alleged in Count One of this Information, CLAUDIO CABRERA, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property, real and personal, that constitutes or is derived, directly or indirectly, as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

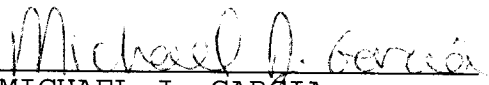
5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (i) cannot be located upon the exercise of due diligence;
- (ii) has been transferred or sold to, or deposited with, a third party;
- (iii) has been placed beyond the jurisdiction of the court;
- (iv) has been substantially diminished in value;

or

(v) has been commingled with other property which cannot be divided without difficulty; it is the intention of the United States, pursuant to Title 18, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 21, United States Code, Sections 846 and 853.)


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
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CLAUDIO CABRERA,

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(Title 21, United States Code, Sections
846 and 853.)

MICHAEL J. GARCIA
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(Title 21, United States Code, Sections
846 and 853.)

MICHAEL J. GARCIA

United States Attorney.

2/7/08- Aft, present with attorney: Joseph Ferrante, Esq.
AUSA: Marshal Camp, Court Reporter,
Jon Murray, Present. Aft. Fld. Waiver of
Indictment in Superseding Indictment
S 07 Cr. 869 (AKH) and Information and
Pleads guilty to Count One. Magistrate Judge Eaton
recommends that Judge Hellerstein accept the guilty
Plea to Count One. 7st Ordered and a Control date for
Sentencing is set for 5/7/08 at 10:00 a.m. Bail cont'd.
S1 Eaton, J. U.S. M. G.